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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,232	03/02/2004	Daniel C. Robbins	MS307308.1/MSFTP593US	3653

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EXAMINER

NGUYEN, JENNIFER T

ART UNIT	PAPER NUMBER
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2629

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/791,232

Applicant(s)

ROBBINS ET AL.

Examiner

Jennifer T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 1930.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date
:6/28/04;8/1/05;8/19/05;12/22/05;5/04/06.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 25-26 are rejected under 35 U.S.C. 101 as follow:

Regarding claim 25, “a data packet...” is computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical “things.” They are neither computer components nor statutory processes, as they are not “acts” being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program’s functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program’s functionality to be realized, and is thus statutory. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035. Accordingly, it is important to distinguish claims that define descriptive material per se from claims that define statutory inventions.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted

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on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4, 9-11, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lektion et al. (Patent No.: US 7,089,507).

Regarding claims 1, 11, and 20, Lektion teaches an advanced navigation system for portable device comprising:

an input component (i.e., stylus) that receives user input, the input component comprising a pointing device (col. 3, lines 21-44);

a navigation component that facilitates navigating through content displayed on a portable device screen based in part on location of the input component with respect to the content (col. 3, lines 30-63); and

a mapping component that smoothly transitions a current view to a new or previous view and orients the content and/or the view thereof within the portable device screen based in part on data received from the navigation component (col. 3, lines 30-63).

Regarding claim 2, Lektion teaches the current view comprising an overview of the content (col. 3, lines 30-63).

Regarding claim 4, Lektion teaches the pointing device comprises a stylus (col. 3, lines 21-44).

Regarding claim 9, Lektion teaches the portable device comprising a PDA (col. 3, lines 21-27).

Regarding claim 10, Lektion teaches comprising document-based content, image-based content, map-based content, and calendars (col. 3, lines 21-27).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 5-7, 12-16, 18, and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lektion et al. (Patent No.: US 7,089,507) in view of Baar et al. (Patent No.: US 6,768,497).

Regarding claims 3, 14-15, 23 and 24, Lektion does not specifically teach a semi-transparent overview of the content over at least a partially zoomed in view of the content to maintain or provide context and/or perspective of the content while transitioning from a current overview of the content to the zoomed in view of the content.

Baar teaches a semi-transparent overview of the content over at least a partially zoomed in view of the content to maintain or provide context and/or perspective of the content while transitioning from a current overview of the content to the zoomed in view of the content (col. 6, lines 1-19). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the partially zoomed in view of the content as taught by Baar in the system of Lektion in order to display region of interest clearly to the user.

Regarding claims 5, 6, 12, 13, 16, and 21-22, the combination of Lektion and Baar teaches the mapping component displays a less detailed/a more detailed view of the content underlying a faster/ slower moving pointing device (col. 8, lines 24-28, col. 9, lines 17-33 of Baar).

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Regarding claims 7 and 18, the combination of Lektion and Baar teaches a lens component integrated into the device screen that is maneuvered over the content in part by the input component (col. 6, lines 1-10 of Baar).

7. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lektion et al. (Patent No.: US 7,089,507) in view of Davies (Patent No.: US 6,262,741).

Regarding claim 19, Lektion does not specifically segmenting the content displayed on the portable device screen into at least two sub-segments.

Davies teaches segmenting the content displayed on the portable device screen into at least two sub-segments (col. 8, line 62 to col. 9, line 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the sub-segments as taught by Davies in the system of Lektion in order to view easily.

8. Claims 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lektion et al. (Patent No.: US 7,089,507) in view of Baar et al. (Patent No.: US 6,768,497) and further in view of Rodriguez et al. (Patent No.: US 6,704,034).

Regarding claims 8 and 17, the combination of Lektion and Baar differs from claim 8 in that it does not specifically teach the view of other surrounding content displayed on the device screen does not change.

Rodriguez teaches the view of other surrounding content displayed on the device screen does not change (col. 5, lines 16-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the view of other surrounding content displayed on the device screen does not change as taught by

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Rodriguez in the system of the combination of Lektion and Baar in order to allow the user view the other area efficiently.

9. The prior art made of record and not relied upon is considered to pertinent applicant's disclosure: Patent. No. US 6,388,684 and 6,956,590.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T. Nguyen whose telephone number is 571-272-7696. The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Nguyen
3/26/07



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